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Juha Iso-Sipila

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7590

12/04/2009

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EXAMINER

COLUCCI, MICHAEL C

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/580,378	Applicant(s) ISO-SIPILA ET AL.	
	Examiner MICHAEL C. COLUCCI	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 08/13/2009 have been fully considered but they are not persuasive. Applicant is encouraged, if necessary, to schedule an interview to propose amendments to overcome Examiners prior art of record and continue prosecution efficiently.

Argument (page 9 paragraphs 1-3):

- “Martino does not disclose that the individual languages form language packages”
- it is not seen where Martino discloses "on the basis of at least the registered first language, to automatically perform a selection from said data structure of one of said plurality of language packages for use by said speech recognition system"

Response to argument:

NOTE: Examiner would like to remind Applicant of the following:

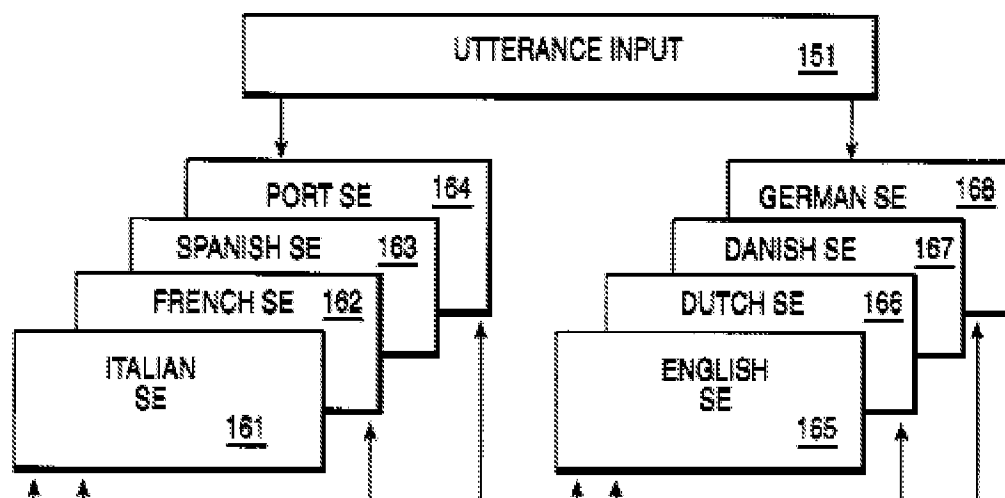
“USPTO personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023,1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim should not be read into the claim. E-Pass

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Techs., Inc. v. 3Com Corp., 343 F.3d1364, 1369, 67 USPQ2d 1947, 1950 (Fed. Cir. 2003) (claims must be interpreted “in view of the specification” without importing limitations from the specification into the claims unnecessarily). *In re Prater*, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969). See also *In re Zletz*, 893 F.2d 319, 321-22, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989) (“During patent examination the pending claims must be interpreted as broadly as their terms reasonably allow.... The reason is simply that during patent prosecution when claims can be amended, ambiguities should be recognized, scope and breadth of language explored, and clarification imposed.... An essential purpose of patent examination is to fashion claims that are precise, clear, correct, and unambiguous. Only in this way can uncertainties of claim scope be removed, as much as possible, during the administrative process.”). Where an explicit definition is provided by the applicant for a term, that definition will control interpretation of the term as it is used in the claim. *Toro Co. v. White Consolidated Industries Inc.*, 199 F.3d 1295, 1301, 53 USPQ2d 1065, 1069 (Fed. Cir. 1999) (meaning of words used in a claim is not construed in a “lexicographic vacuum, but in the context of the specification and drawings.”). Any special meaning assigned to a term “must be sufficiently clear in the specification that any departure from common usage would be so understood by a person of experience in the field of the invention.” *Multi-form Desiccants Inc. v. Medzam Ltd.*, 133 F.3d 1473, 1477, 45 USPQ2d 1429, 1432 (Fed. Cir. 1998). See also MPEP § 2111.01.”

While giving claims their broadest reasonable interpretation in light of the supporting disclosure without importing limitations from the specification into the claims unnecessarily, Examiner believes that Martino appears to teach “a plurality of language packages, each of said plurality of language packages having associated therewith a plurality of languages, where at least some of said plurality of languages are associated with more than one of said plurality of language packages”.

Consider Fig. 3 of Martino, where the *grouping* of languages elements 161-164 and elements 165-168 can easily be understood as a plurality of language packages, each of said plurality of language packages having associated therewith a plurality of languages, where at least some of said plurality of languages are associated with more than one of said plurality of language packages. As shown below, Martino clearly teaches two language packages containing a plurality of languages for speech recognition.



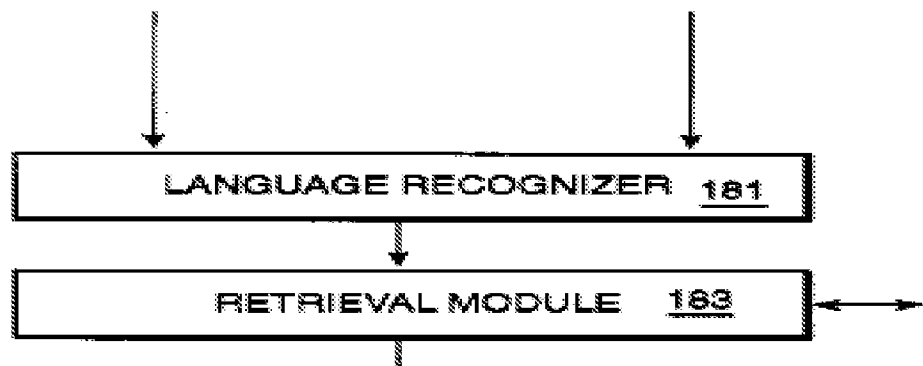
Further, Martino teaches recognizing a detected utterance with a speech recognition engine equipped with a plurality of small dictionaries. Each of the small dictionaries is for respective one of the plurality of languages. Each small dictionary including speech data for a selected few common words in the respective language. Next, the method selects one of the plurality of languages as the language of the detected utterance based on a number of recognized words for each language from the small dictionaries. Next, a more thorough recognition of the detected utterance using a large dictionary for the language of the detected utterance which contains information on a much larger vocabulary. Finally, the method responds to the user in the selected language, i.e. the language of the detected utterance, either aurally or visually. Once the language of a first utterance is identified, a timer is started. Responsive to detecting a new utterance within a predetermined period, the method continues using the large dictionary to recognize the new detected utterance and responding to the user in the language of the detected utterance. If the timer times out, the method reinitializes and a new utterance is tested by all of the small dictionaries (Martino Abstract).

Further, consider that irrelevant to the fact that “individual languages form language packages” is NOT claimed, Martino still reads upon this limitation as depicted above while giving claims their broadest reasonable interpretation in light of the supporting disclosure without importing limitations from the specification into the claims unnecessarily.

Martino also teaches “device being arranged to register at least a first language for said at least one user interface and, on the basis of at least the registered first language, to automatically perform a selection from said data structure of one of said plurality of language packages for use by said speech recognition system”

Consider Fig. 3 once again, wherein Martino teaches “on the basis of at least the registered first language, to automatically perform a selection from said data structure of one of said plurality of language packages for use by said speech recognition system”. Fig. 3 clearly shows selecting one of the plurality of languages as the language of the detected utterance (Martino Abstract), wherein element 181 recognizes the language and the language package used for speech recognition.

FIG. 3



Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 19-21, 23, 26, 29, 30, 32, and 35 are rejected under 35 U.S.C. 102(b) as being anticipated by Martino et al. US 6061646 A (hereinafter Martino).

Re claims 19, 26, and 32, Martino teaches an electronic device, comprising: at least one user interface, said at least one user interface comprising a speech recognition system; and a memory that stores a data structure that comprises a plurality of language packages, each of said plurality of language packages having associated therewith a plurality of languages, where at least some of said plurality of languages are associated with more than one of said plurality of language packages, where one of said plurality of language packages is arranged to be selected for use by said speech

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recognition system when recognizing a user's speech; said device being arranged to register at least a first language for said at least one user interface and, on the basis of at least the registered first language, to automatically perform a selection from said data structure of one of said plurality of language packages for use by said speech recognition system (Col. 9 line 54 – Col. 10 line 17 & Fig. 3).

Re claim 20, Martino teaches the device according to claim 19, where if the registered first language is associated with more than one of said plurality of language packages, said device is arranged to register in addition a second language and, on the basis of the first and second registered languages, to automatically select one of said plurality of language packages (Col. 9 line 54 – Col. 10 line 17 & Fig. 3).

Re claims 21 and 29, Martino teaches the device according to claim 19, where a native language package is set for each language (Col. 8 lines 30-42).

Re claims 23, 30, and 35, Martino teaches the device according to claim 19, where said data structure is arranged to form a look-up table from which selection of the language package is automatically performed (Fig. 3 elements 181 and 183, retrieves the language and thus the language group/package).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 22, 24, 25, 27, 28, 31, 33, 34, 36, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martino et al. US 6061646 A (hereinafter Martino) in view of Kitahara et al. US 7130801 B2 (hereinafter Kitahara).

Re claim 22, Martino teaches the device according to claim 20, where the first language is a selected device control user interface language (Col. 8 lines 30-42), and where the second language is a selected graphical user interface language.

However, Martino fails to teach a second language is a selected graphical user interface language

Kitahara teaches that a user transmits speech by telephone to an automatic interpretation server, and the speech is returned in a translated form to the user's telephone. When the user first establishes connection from a telephone, preferably a telephone on which mobile Internet access service is available, to a mobile Internet access service gateway server via a mobile Internet access service packet network, the automatic interpretation server allows the user to display a menu of interpretable language on the display screen of the user's telephone, to thereby enable the user to select from the language classification menu the language into which the translation is

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to be performed. Also, the server preferably allows the user to display an interpretable model sentence scene on the display screen of the user's telephone, to thereby enable the user to select from the scene menu an interpretable sentence scene-of-use.

Further, the server allows the user to display a model sentence that can be inputted on the display screen of the user's telephone, to thereby enable the user to input, in audio, that model sentence while watching the model sentence on the screen (Kitahara Col. 2 line 54 – Col. 2 line 11 & Fig. 10 display language).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Martino to incorporate a second language is a selected graphical user interface language as taught by Kitahara to allow for two distinct languages, wherein a user can speak a language and output a different language than what is spoken in order to interpret various multilingual information graphically (Kitahara Col. 2 line 54 – Col. 2 line 11 & Fig. 10 display language).

Re claims 24, 31, and 36, Martino teaches the device according to claim 23, where voice user interface language and user interface language combinations are arranged in the look-up table, where one of the plurality of language packages that is suitable for selection for each voice user interface language and user interface language combination is linked (Fig. 3 elements 181 and 183, retrieves the language and thus the language group/package, wherein the language selected is directly linked to various dictionaries).

However, Martino fails to teach a second language is a selected user interface language combinations

Kitahara teaches that a user transmits speech by telephone to an automatic interpretation server, and the speech is returned in a translated form to the user's telephone. When the user first establishes connection from a telephone, preferably a telephone on which mobile Internet access service is available, to a mobile Internet access service gateway server via a mobile Internet access service packet network, the automatic interpretation server allows the user to display a menu of interpretable language on the display screen of the user's telephone, to thereby enable the user to select from the language classification menu the language into which the translation is to be performed. Also, the server preferably allows the user to display an interpretable model sentence scene on the display screen of the user's telephone, to thereby enable the user to select from the scene menu an interpretable sentence scene-of-use. Further, the server allows the user to display a model sentence that can be inputted on the display screen of the user's telephone, to thereby enable the user to input, in audio, that model sentence while watching the model sentence on the screen (Kitahara Col. 2 line 54 – Col. 2 line 11 & Fig. 10 display language).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Martino to incorporate a second language is a selected user interface language combinations as taught by Kitahara to allow for two distinct languages, wherein a user can speak a language and output a different

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language than what is spoken in order to interpret various multilingual information graphically (Kitahara Col. 2 line 54 – Col. 2 line 11 & Fig. 10 display language).

Re claims 25 and 37, Martino fails to teach the device according to claim 19, where said device is embodied as a mobile station.

Kitahara teaches that a user transmits speech by telephone to an automatic interpretation server, and the speech is returned in a translated form to the user's telephone. When the user first establishes connection from a telephone, preferably a telephone on which mobile Internet access service is available, to a mobile Internet access service gateway server via a mobile Internet access service packet network, the automatic interpretation server allows the user to display a menu of interpretable language on the display screen of the user's telephone, to thereby enable the user to select from the language classification menu the language into which the translation is to be performed. Also, the server preferably allows the user to display an interpretable model sentence scene on the display screen of the user's telephone, to thereby enable the user to select from the scene menu an interpretable sentence scene-of-use. Further, the server allows the user to display a model sentence that can be inputted on the display screen of the user's telephone, to thereby enable the user to input, in audio, that model sentence while watching the model sentence on the screen (Kitahara Col. 2 line 54 – Col. 2 line 11 & Fig. 10 display language).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Martino to incorporate a mobile station as taught by Kitahara to allow for portable operation using two distinct languages, wherein a user can speak a language and output a different language than what is spoken in order to interpret various multilingual information graphically (Kitahara Col. 2 line 54 – Col. 2 line 11 & Fig. 10 display language).

Re claims 27 and 33, Martino teaches the method of claim 26, where there are a plurality of user interfaces comprising at least a device control user interface and a graphical user interface (Col. 9 line 54 – Col. 10 line 17 & Fig. 3), further comprising a user selecting a language for each of the plurality of user interfaces, and where automatically selecting selects one appropriate language package from the data structure in accordance with the user- selected languages.

However, Martino fails to teach a user selecting a language for each of the plurality of user interfaces

Kitahara teaches that a user transmits speech by telephone to an automatic interpretation server, and the speech is returned in a translated form to the user's telephone. When the user first establishes connection from a telephone, preferably a telephone on which mobile Internet access service is available, to a mobile Internet access service gateway server via a mobile Internet access service packet network, the automatic interpretation server allows the user to display a menu of interpretable language on the display screen of the user's telephone, to thereby enable the user to

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select from the language classification menu the language into which the translation is to be performed. Also, the server preferably allows the user to display an interpretable model sentence scene on the display screen of the user's telephone, to thereby enable the user to select from the scene menu an interpretable sentence scene-of-use.

Further, the server allows the user to display a model sentence that can be inputted on the display screen of the user's telephone, to thereby enable the user to input, in audio, that model sentence while watching the model sentence on the screen (Kitahara Col. 2 line 54 – Col. 2 line 11 & Fig. 10 display language).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Martino to incorporate a user selecting a language for each of the plurality of user interfaces as taught by Kitahara to allow for two distinct languages, wherein a user can speak a language and output a different language than what is spoken in order to interpret various multilingual information graphically, where a user can communicate remotely to control various remote apparatuses during communication (Kitahara Col. 2 line 54 – Col. 2 line 11 & Fig. 10 display language).

Re claims 28 and 34, Martino teaches the method according to claim 26, where a first language is selected for a first user interface and if the selected first language is associated with a single language package, the single language package is automatically selected on the basis of the selected first registered language; and where if the selected first language is associated with more than one language package (Col. 9

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line 54 – Col. 10 line 17 & Fig. 3), further comprising selecting a second language for a second user interface, and where the one language package is automatically selected on the basis of the selected first and second languages.

However, Martino fails to teach selecting a second language for a second user interface, and where the one language package is automatically selected on the basis of the selected first and second languages

Kitahara teaches that a user transmits speech by telephone to an automatic interpretation server, and the speech is returned in a translated form to the user's telephone. When the user first establishes connection from a telephone, preferably a telephone on which mobile Internet access service is available, to a mobile Internet access service gateway server via a mobile Internet access service packet network, the automatic interpretation server allows the user to display a menu of interpretable language on the display screen of the user's telephone, to thereby enable the user to select from the language classification menu the language into which the translation is to be performed. Also, the server preferably allows the user to display an interpretable model sentence scene on the display screen of the user's telephone, to thereby enable the user to select from the scene menu an interpretable sentence scene-of-use. Further, the server allows the user to display a model sentence that can be inputted on the display screen of the user's telephone, to thereby enable the user to input, in audio, that model sentence while watching the model sentence on the screen (Kitahara Col. 2 line 54 – Col. 2 line 11 & Fig. 10 display language).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Martino to incorporate selecting a second language for a second user interface, and where the one language package is automatically selected on the basis of the selected first and second languages as taught by Kitahara to allow for two distinct languages, wherein a user can speak a language and output a different language than what is spoken in order to interpret various multilingual information graphically, where a user can communicate remotely to control various remote apparatuses during communication (Kitahara Col. 2 line 54 – Col. 2 line 11 & Fig. 10 display language).

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Colucci whose telephone number is (571)-270-1847. The examiner can normally be reached on 9:30 am - 6:00 pm, Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571)-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael C Colucci/
Examiner, Art Unit 2626
Patent Examiner

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